

Executive Order
Federal Reserve

Tuesday
November 28, 1995

Part LVIII

Federal Trade Commission

Semiannual Regulatory Agenda

FEDERAL TRADE COMMISSION (FTC)**FEDERAL TRADE COMMISSION****16 CFR Ch. I****Semiannual Regulatory Agenda****AGENCY:** Federal Trade Commission.**ACTION:** Semiannual regulatory agenda.

SUMMARY: The following agenda of Commission proceedings is published in accordance with section 22(d)(1) of the Federal Trade Commission Act, 15 U.S.C. 57b-3(d)(1), and section 610(c) of the Regulatory Flexibility Act, 5 U.S.C. 610(c). Except for notice of completed actions, the information in this agenda represents the judgment of Commission staff based upon information now available, and each projected date

reflects an assessment by the FTC staff of the likelihood that the specified event will occur during the coming year. No final determination by the staff or the Commission respecting the need for or the substance of a trade regulation rule, including the results of pending rulemakings that are consistent with the Reinventing Government Initiative, or any other procedural option should be inferred from the notation of projected events in this agenda.

In most instances, the dates of future events are listed by month, not by a specific day. Acquisition of new information, change of circumstances, or changes in the law may alter the information set forth in this agenda. Several agenda items concern rulemaking proceedings that may affect

a substantial number of small businesses as that term is used in the Regulatory Flexibility Act. Whether the likely economic impact on such entities is significant will depend upon the outcome of the particular proceeding.

This edition of the Unified Agenda of Federal Regulations includes The Regulatory Plan, which appears in Part II of this issue of the Federal Register. FTC's Statement of Regulatory Priorities is included in Part II.

FOR FURTHER INFORMATION CONTACT: Further details may be obtained from the agency contact person listed for each particular proceeding.

By direction of the Commission.
Donald S. Clark,
Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
4662	Rules and Regulations Under the Wool Products Labeling Act of 1939	3084-AA50
4663	Rules and Regulations Under the Fur Products Labeling Act	3084-AA51
4664	Rules and Regulations Under the Textile Fiber Products Identification Act	3084-AA52
4665	The Used Car Rule	3084-AA56
4666	Trade Regulation Rule Concerning the Labeling and Advertising of Home Insulation	3084-AA60
4667	Trade Regulation Rule for the Incandescent Lamp (Light Bulb) Industry	3084-AA61
4668	Trade Regulation Rule Concerning Misbranding and Deception as to Leather Content of Waist Belts	3084-AA62
4669	Trade Regulation Rule on Franchising and Business Opportunity Ventures	3084-AA63

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4670	Premerger Notification Rules and Report Form	3084-AA23
4671	Games of Chance in the Food Retailing and Gasoline Industries Rule	3084-AA24
4672	Regulations Under the Comprehensive Smokeless Tobacco Health Education Act of 1986	3084-AA48
4673	The Care Labeling Rule	3084-AA54
4674	Deception as to Non-Prismatic and Partially Prismatic Instruments Being Prismatic Instruments	3084-AA65
4675	Advertising and Labeling of Sleeping Bags	3084-AA66
4676	Quick Freeze Spray Rule	3084-AA67
4677	Fiberglass Curtain Rule	3084-AA68
4678	Deceptive Advertising and Labeling as to Size of Tablecloths and Related Products	3084-AA69
4679	Deceptive Advertising and Labeling as to Length of Extension Ladders	3084-AA70

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
4680	Cooling-Off Rule	3084-AA53
4681	Labeling Standards for Recycled Oil Containers	3084-AA64

FTC**Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
4682	Amended Federal Deposit Corporation Improvement Act	3084-AA44
4683	Regulatory Review	3084-AA47

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4684	The Credit Practices Rule	3084-AA55
4685	Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles	3084-AA57
4686	Telemarketing Rule	3084-AA59

FEDERAL TRADE COMMISSION (FTC)**Prerule Stage****4662. RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 68 Wool Products Labeling Act of 1939**CFR Citation:** 16 CFR 300**Legal Deadline:** None

Abstract: The Wool Products Labeling Act of 1939 (Wool Act) requires covered wool products to be marked with (1) the generic names and percentages by weight of the constituent fibers present in the wool product; (2) the name under which the manufacturer or another responsible USA company does business, or in lieu thereof, the registered identification number (RN) of such a company; and (3) the name of the country where the wool product was processed or manufactured. Pursuant to Section 6(a) of the Wool Act, "the Commission is authorized and directed to make rules and regulations for the manner and form of disclosing information required by this Act ... and to make such further rules and regulations under and in pursuance of the terms of this Act as may be necessary and proper for administration and enforcement." These implementing rules and regulations are set forth at 16 CFR 300. As part of its systematic review of all current Commission regulations and guides, the Commission requested comments on, among other things, the economic impact of and the continuing need for, these rules, possible conflict

between the rules and State, local and other federal laws, and the effect on the rules of any technological, economic, or other industry changes.

Timetable:

Action	Date	FR Cite
Begin Reg Flex Review	05/06/94	59 FR 23645
Extension of Comment Period	09/12/94	59 FR 46778
Comment Period End	10/15/94	
Recommendation to Commission	12/00/95	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Bret S. Smart, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Boulevard, Ste. 13209, Los Angeles, CA 90024
Phone: 310 575-7890

RIN: 3084-AA50**4663. RULES AND REGULATIONS UNDER THE FUR PRODUCTS LABELING ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 69 Fur Products Labeling Act**CFR Citation:** 16 CFR 301**Legal Deadline:** None

Abstract: The Fur Products Labeling Act (Fur Act) requires covered furs and fur products to be labeled, invoiced, and advertised to show (1) the name(s)

of the animal that produced the fur(s); (2) where such is the case, that the fur is used fur or contains used fur; (3) where such is the case, that the fur is bleached, dyed, or otherwise artificially colored; and (4) the name of the country of origin of any imported furs used in the fur product. Pursuant to Section 8(b) of the Fur Act, "The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act." These implementing rules are set forth at 16 CFR 301. As part of its systematic review of all current Commission regulations and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, these rules, possible conflict between the rules and state, local and other federal laws, and the effect on the rules of any technological, economic, or other industry changes.

Timetable:

Action	Date	FR Cite
Begin Reg Flex Review	05/06/94	59 FR 23645
Extension of Comment Period	09/12/94	59 FR 46778
Comment Period End	10/15/94	
Recommendations to Commission	12/00/95	

Small Entities Affected: Undetermined

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Prerule Stage

Government Levels Affected: None

Agency Contact: Bret S. Smart, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Boulevard, Ste. 13209, Los Angeles, CA 90024

Phone: 310 575-7890

RIN: 3084-AA51

4664. RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 70 Textile Fiber Products Identification Act

CFR Citation: 16 CFR 303

Legal Deadline: None

Abstract: The Textile Fiber Products Identification Act (Textile Act) requires wearing apparel and other covered household textile articles to be marked with (1) the generic names and percentages by weight of the constituent fibers present in the textile fiber product; (2) the name under which the manufacturer or another responsible USA company does business, or in lieu thereof, the registered identification number (RN) of such a company; and (3) the name of the country where the textile product was processed or manufactured. Pursuant to Section 7(c) of the Textile Act, "the Commission is authorized and directed to make such rules and regulations, including the establishment of generic names of manufactured fibers, under and in pursuance of the terms of this Act as may be necessary and proper for administration and enforcement." These implementing rules are set forth at 16 CFR 303. As part of its systematic review of all current Commission regulations and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, these rules, possible conflict between the rules and State, local and other Federal laws, and the effect on the rules of any technological, economic, or other industry changes. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been

included as part of that Initiative because further proceedings in connection with this matter will be consistent with that Initiative.

Timetable:

Action	Date	FR Cite
Begin Reg Flex Review	05/06/94	59 FR 23646
Extension of Comment Period	09/12/94	59 FR 46779
Comment Period End	10/15/94	
Recommendations to Commission	10/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Bret S. Smart, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Boulevard, Ste. 13209, Los Angeles, CA 90024

Phone: 310 575-7890

RIN: 3084-AA52

4665. THE USED CAR RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 45 to 58

CFR Citation: 16 CFR 455

Legal Deadline: None

Abstract: The purpose of the Used Car Rule, which became effective on May 9, 1985, is to prevent and discourage oral misrepresentations and omissions of material facts by used car dealers concerning warranty coverage. The Rule provides a uniform method for written disclosure of warranty information on a window sticker called a "Buyers Guide." The Rule requires sellers to disclose on the Buyers Guide the basic terms and conditions of any warranty offered in connection with the sale of a used car, including the duration of coverage, the percentage of total repair costs to be paid by the dealer, and the systems covered by the warranty. The Rule also requires certain other disclosures that must be printed on the Buyers Guide, including: a suggestion that consumers ask the dealer if a pre-purchase inspection is permitted; a warning against reliance on spoken promises that are not confirmed in writing; and a list of the

14 major systems of an automobile and the major problems that may occur in these systems. The Rule also provides that the Buyers Guide disclosures are to be incorporated by reference into the sales contract, and are to govern in the event of an inconsistency between the Buyers Guide and the sales contract. As part of the Commission's ongoing project to review all rules periodically, the Commission has published a Federal Register Notice seeking public comment on the cost and benefits and other impacts of the Rule. The purpose of the review is to determine whether the Commission should consider amending, repealing, or retaining the Rule as is. Pursuant to the Regulatory Flexibility Act, the Commission also solicited comments on the Rule's impact on small business, and on whether the Rule should be amended to minimize any significant impact upon small economic entities. Although this rulemaking was commenced prior to the Reinventing Government Initiative it has been included as part of that Initiative because further proceedings in connection with this matter will be consistent with that Initiative.

Timetable:

Action	Date	FR Cite
Begin Reg Flex and Periodic Review	05/06/94	59 FR 23647
Comment Period End	07/06/94	
Recommendations to Commission	08/21/95	
Commission Action	11/00/95	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Brent Mickum IV, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580

Phone: 202 326-3132

RIN: 3084-AA56

4666. TRADE REGULATION RULE CONCERNING THE LABELING AND ADVERTISING OF HOME INSULATION

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 460

Legal Deadline: None

Abstract: The Federal Trade Commission's Trade Regulation Rule Concerning the Labeling and Advertising of Home Insulation ("R-

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Value Rule") became effective on September 29, 1980. The Rule is designed to assist consumers in evaluating and comparing the thermal performance characteristics of competing home insulation products. Specifically, the Rule requires manufacturers of home insulation products to provide information about the product's degree of resistance to the flow of heat (R-Value). The Rule also establishes uniform standards for testing, information disclosure and substantiation of product performance claims. As part of its systematic review of all current Commission rules and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, this Rule, possible conflicts between the Rule and state, local and other federal laws, and the effect on the Rule of any technological, economic, or other industry changes.

Timetable:

Action	Date	FR Cite
Request for Comments	04/06/95	60 FR 17492
Comment Period End	06/06/95	
Recommendations to the Commission	11/00/95	
Final Commission Action	02/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kent C. Howerton, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3013

RIN: 3084-AA60

4667. TRADE REGULATION RULE FOR THE INCANDESCENT LAMP (LIGHT BULB) INDUSTRY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 409

Legal Deadline: None

Abstract: The Federal Trade Commission's Trade Regulation Rule for the Incandescent Lamp (Light Bulb) Industry became effective on January

25, 1971. The Rule is designed to assist consumers in making informed purchases of light bulbs for specific needs. Specifically, the Rule requires the disclosures of, in accordance with uniform specifications, the electrical power consumed (expressed as average initial wattage), the light output (expressed as average initial lumens), and the average laboratory life (expressed in hours) on light bulb packages. In addition, the average initial wattage and design voltage must appear on the bulbs themselves. As part of its systematic review of all current Commission rules and guides, the Commission has requested comments on, among other things, the economic impact of, and the continuing need for, this Rule, possible conflicts between the Rule and state, local and other federal laws, and the effect on the Rule of any technological, economic, or other industry changes. In addition, the Commission requested comment as to whether it should modify provisions of the Rule that duplicate or overlap with provisions in the Appliance Labeling Rule. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings in connection with this matter will be consistent with that Initiative.

Timetable:

Action	Date	FR Cite
Request for Comments	04/06/95	60 FR 17491
Comment Period End	08/07/95	
Recommendations to the Commission	11/00/95	
Commission Action	02/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kent C. Howerton, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3013

RIN: 3084-AA61

4668. TRADE REGULATION RULE CONCERNING MISBRANDING AND DECEPTION AS TO LEATHER CONTENT OF WAIST BELTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 15 USC 41-58

CFR Citation: 16 CFR 405

Legal Deadline: None

Abstract: The Federal Trade Commission's Trade Regulation Rule Concerning Misbranding and Deception as to Leather Content of Waist Belts (Leather Belt Rule) makes it an unfair method of competition and an unfair and deceptive act or practice to misrepresent a belt's leather content or the type of animal hide or skin from which the belt is made. The Rule also prohibits the sale or distribution of belts without adequate disclosures as to their leather content or type of animal hide or skin if the appearance of the product would deceive consumers. As part of its systematic review of all current Commission rules and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, this Rule, possible conflicts between the Rule and state, local and other federal laws, and the effect on the Rule of any technological, economic, or other industry changes. The Commission received ten comments on the Leather Belt Rule. After reviewing the comments, the Commission announced that, in order to avoid unnecessary duplication, it had decided to publish an ANPR seeking comment on whether the Rule should be three separate industry guides for various leather products into one set of guides. These new consolidated guides also would cover leather belts.

Timetable:

Action	Date	FR Cite
Request for Comments	03/27/95	60 FR 15725
Comment Period End	05/26/95	
Recommendations to the Commission	07/21/95	
ANPRM	09/18/95	60 FR 48070
ANPRM Comment Period End	10/18/95	
NPRM	12/00/95	
Final Commission Action	02/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Lemuel Dowdy, Edwin Rodriguez, Federal Trade Commission, Division of Enforcement,

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Bureau of Consumer Protection,
Washington, DC 20580
Phone: 202 326-2981
RIN: 3084-AA62

4669. TRADE REGULATION RULE ON FRANCHISING AND BUSINESS OPPORTUNITY VENTURES
Priority: Substantive, Nonsignificant
Legal Authority: 15 USC 41 to 58
CFR Citation: 16 CFR 436
Legal Deadline: None
Abstract: The Federal Trade Commission's Trade Regulation Rule on Franchising and Business Opportunity Ventures (Franchise Rule) became effective on October 21, 1979. The Rule is designed to reduce deceptive and unfair practices in the sale of franchises and business opportunities by requiring the pre-sale disclosure of material

information about the franchise. For example, the Rule requires franchisors to disclose their business background and litigation history, as well as the number of failed and terminated franchise units. The Rule also requires the disclosure of material terms of the franchise relationship, such as recurring fees and termination and renewal rights. The Rule further requires the franchisor to provide an audited financial statement for the past three fiscal years. Finally, the Rule requires any franchisor who makes earnings representations to provide the prospective franchisee with an earnings claims document that substantiates those claims. As part of its systematic review of all current Commission rules and guides, the Commission is requesting comments about the overall costs and benefits of the Rule and what effects, if any, have changes in relevant

technology, economic conditions, and industry practices had on the Rule. The Commission may also consider other areas of the Rule, as appropriate.

Timetable:

Action	Date	FR Cite
Request for Comments	04/15/95	
Comment Period End	08/11/95	
Public Workshop	09/12/95	
Recommendations to the Commission	01/00/96	
Final Action	04/00/96	

Small Entities Affected: Businesses
Government Levels Affected: State
Agency Contact: Steven Toporoff, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3135
RIN: 3084-AA63

FEDERAL TRADE COMMISSION (FTC)

Proposed Rule Stage

4670. PREMERGER NOTIFICATION RULES AND REPORT FORM
Priority: Substantive, Nonsignificant
Legal Authority: 15 USC 18a Clayton Act
CFR Citation: 16 CFR 801 to 803
Legal Deadline: None
Abstract: The Premerger Notification Rules and the Antitrust Improvements Act Notification and Report Form were adopted pursuant to Section 7A of the Clayton Act. Section 7A requires firms of a certain size contemplating mergers or acquisitions of a specified size to file notification with the Federal Trade Commission (FTC) and the Department of Justice (DOJ) and to wait a designated period before consummating the transaction. It also requires the FTC, with the concurrence of the Assistant Attorney General for Antitrust, to promulgate rules requiring that notification be in a form and contain information necessary to enable the FTC and DOJ to determine whether the proposed acquisition may, if consummated, violate the antitrust laws. These rules are continually reviewed in order to improve the program's effectiveness and reduce the paperwork burden on the business community. The Commission proposed modifications to the Premerger

Notification and Report form during fiscal year 1994. In September 1985, the Commission proposed to amend the Rule's treatment of acquisitions of goods or realty made in the ordinary course of business. The Commission will reconsider what action, if any, to take on possible amendments regarding such acquisitions. In addition, on August 9, 1995, the Commission published a final rule that removed 16 CFR part 800, the transitional rule addressing the treatment of acquisitions consummated before, and notification filed on or before September 5, 1978.

Timetable:

Action	Date	FR Cite
Begin Review	09/30/81	
Begin Review	09/30/81	
NPRM -- Ordinary Course	09/24/85	50 FR 38742
NPRM - HSR Form Changes	06/14/94	59 FR 30545
NPRM - Ordinary Course	07/28/95	60 FR 38930
Part 800 Repealed	08/09/95	60 FR 40704
NRM - HSR Form Changes	11/00/95	
NRM - Ordinary Course	11/00/95	

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: John Sipple, Assistant Director, Pre-Merger Notification, Federal Trade Commission, Bureau of Competition, Washington, DC 20580
Phone: 202 326-2862
RIN: 3084-AA23

4671. GAMES OF CHANCE IN THE FOOD RETAILING AND GASOLINE INDUSTRIES RULE
Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act
CFR Citation: 16 CFR 419
Legal Deadline: None
Abstract: The Commission's trade regulation rule concerning games of chance became effective on October 17, 1969. The Rule establishes requirements for food and gasoline retailers in conducting and advertising games of chance by requiring disclosure of odds-of-winning and prize information in broadcast and print advertisements, as well as in point of

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sale information. In January, 1983, the Commission granted a temporary partial exemption to allow supermarkets and gas stations to advertise their games on radio and television without disclosing full information on prizes and odds-of-winning. In addition, the Commission also published an Advance Notice of Proposed Rulemaking on whether to make the broadcast exemption permanent. Finally, the Commission proposed to reduce the recordkeeping requirements of the Rule from three years to one year in keeping with the goals of the Paperwork Reduction Act, and requested public comment on other possible areas where amendments to the Rule may be appropriate. The Rule benefits consumers by allowing contestants to enter games of chance with full knowledge of all material information to enable equal competition for prizes. The major costs to industry are the possible burdensomeness of the electronic media disclosure and recordkeeping provisions of the Rule, both of which have been reconsidered. The Commission issued an NPRM on July 7, 1988 to consider amendments that would reduce the burden of the Rule's recordkeeping and disclosure requirements. The presiding officer reopened the record for additional public comment on July 26, 1995.

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	08/19/69	34 FR 13302
ANPRM	01/04/83	48 FR 265
Temporary Partial Exemption	01/10/83	48 FR 1046
NPRM	07/07/88	53 FR 25503
Reopened Record	07/26/95	60 FR 38474
Staff Report	11/00/95	
Presiding Officer's Report	12/00/95	
Commission Consideration of Staff Recommendations	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: John M. Mendenhall, Federal Trade Commission, Cleveland Regional Office, Suite 520A, 668 Euclid Ave., Cleveland, Ohio 44114
Phone: 216 522-4207

RIN: 3084-AA24

4672. REGULATIONS UNDER THE COMPREHENSIVE SMOKELESS TOBACCO HEALTH EDUCATION ACT OF 1986

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 4401

CFR Citation: 16 CFR 307

Legal Deadline: None

Abstract: The Comprehensive Smokeless Tobacco Act of 1986 requires health warnings on all packages and advertising for smokeless tobacco. The Commission published an NPR on February 14, 1995 seeking public comment on whether the regulations governing the rotation schedule for utilitarian objects should be amended. The comment period expired on April 14, 1995. On a separate point, the Coalition on Smoking OR Health petitioned the Commission to enforce the Smokeless Tobacco Act by requiring smokeless tobacco health warnings on sponsored racing cars, banners, flags, and other related objects bearing smokeless tobacco product brand names, logos, or selling messages. On October 26, 1993, the Commission issued an NPR, proposing a requirement that sponsored auto racing vehicles and all other event-related objects that bear the brand name or selling message of smokeless tobacco products display health warning labels. Staff is preparing its recommendations to the Commission.

Timetable:

Action	Date	FR Cite
NPRM (Promotional Items)	01/15/93	54 FR 4875
NPRM (Racing Cars)	11/04/93	58 FR 58810
Comment Period End (Racing Cars)	02/01/94	
NPRM (Utilitarian Items)	02/14/95	60 FR 8312
Comment Period End (Utilitarian Items)	04/14/95	
Final Staff Recommendation (Promotional Items)	11/00/95	
Final Staff Recommendation (Racing Cars)	11/00/95	
Final Staff Recommendations (Utilitarian Items)	11/00/95	
Commission Action (Promotional Items)	02/00/96	
Commission Action (Utilitarian Items)	02/00/96	
Commission Action (Racing Cars)	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Phillip Priesman, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-2484
RIN: 3084-AA48

4673. THE CARE LABELING RULE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 423

Legal Deadline: None

Abstract: The Care Labeling Rule requires manufacturers and importers of textile wearing apparel to attach cleaning instructions stating what regular care is needed for the ordinary use of the product. If dry cleaning is recommended, the label must state at least one type of solvent that may be used, (unless all commercially available types of solvent can be used) and must contain a warning against the use of any part of the normal dry cleaning procedure that would harm the product. The Rule also requires that the manufacturer or importer possess, prior to sale, a reasonable basis for the care instructions. The Rule currently requires that care instructions be stated in "appropriate terms." It also states that "any appropriate symbols may be used on care labels or care instructions, in addition to the required appropriate terms so long as the terms fulfill the requirements of this regulation." Although the Rule does not specifically state that the instructions must be in English, they usually are. The Commission has solicited comment on whether it is desirable to allow the use of symbols in lieu of language on care labels; on whether, and under what circumstances, it is desirable to require washing instructions as well as dry cleaning instructions; and in general, on the costs and benefits and regulatory and economic impact of an amended Care Labeling rule. Although this rulemaking was commenced prior to the Reinventing Government Initiative,

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it has been included as part of that Initiative because further proceedings in connection with this matter will be consistent with the Initiative.

Timetable:

Action	Date	FR Cite
ANPRM	06/15/94	59 FR 30733
ANPRM Comment Period End	10/15/94	
Recommendation to Commission	10/00/95	
Commission Action	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Constance Vecellio, Care Labeling Rule Coordinator, Division of Enforcement, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-2966

RIN: 3084-AA54

4674. • DECEPTION AS TO NON-PRISMATIC AND PARTIALLY PRISMATIC INSTRUMENTS BEING PRISMATIC INSTRUMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 15 USC 57

CFR Citation: 16 CFR 402

Legal Deadline: None

Abstract: The Binocular Rule, promulgated in 1964, requires a clear and conspicuous disclosure on any advertising or packaging for non-prismatic or partially prismatic binoculars that the instruments are not fully prismatic. Fully prismatic binoculars rely on a prism within the instrument to reverse the visual image entering the lens so that it appears right-side up to the user. Other binoculars rely partially or entirely on mirrors to reverse the visual image. To prevent consumer deception, the Rule proscribed the use of the term "binocular" to describe anything other than a fully prismatic instrument, unless the term was modified to indicate the true nature of the item. Under the Rule, non-prismatic instruments could be identified as binoculars only if they incorporated a descriptive term such as "binocular-nonprismatic," "binocular-mirror prismatic," or "binocular-nonprismatic mirror." It appears that most binoculars

manufactured today are fully prismatic. Generally, the only non-prismatic binoculars available are either toys or opera glasses. Staff does not believe that consumers shopping for binoculars would be deceived into purchasing either a toy or an opera glass, even without the disclosure mandated by the Rule. The Commission published an ANPR seeking public comment on whether the Rule should be repealed. Based on the comments and staff analysis, the Commission decided to initiate a rulemaking to repeal the rule and published a NPR on September 18, 1995.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/95	60 FR 27240
ANPRM Comment Period End	06/22/95	
NPRM	09/18/95	60 FR 48065
NPRM Comment Period End	10/18/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Phillip S. Priesman, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580

Phone: 202 326-4284

RIN: 3084-AA65

4675. • ADVERTISING AND LABELING OF SLEEPING BAGS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 15 USC 57

CFR Citation: 16 CFR 400

Legal Deadline: None

Abstract: The Sleeping Bag Rule, promulgated by the Commission on October 11, 1963, regulates the use of the term "cut size" of materials from which a sleeping bag is made to describe the size of a sleeping bag in advertising, labeling, or marking. The Commission is reviewing the Sleeping Bag Rule as part of a periodic review to seek information about the costs and benefits of its rules and guides and their regulatory and economic impact. This information assists the Commission in identifying rules and

guides that warrant modification or rescission. On April 19, 1993, the Commission requested public comments on the Sleeping Bag Rule. The Commission received only one comment stating that there was a continuing need for the Rule to deter deceptive practices. The Commission also conducted an informal inquiry and inspected sleeping bags at several national chain stores. The inquiry found no violations of the Rule on either the sleeping bag packaging materials or the labels affixed to the product itself. Additionally, the Commission has no record of receiving any complaints regarding non-compliance with the Rule, or of initiating any law enforcement actions alleging violations of the Rule's requirements. Finally, the Uniform Packaging and Labeling Regulation, which has been adopted by 47 states, regulates the labeling of sleeping bags, and appears to provide that these items must be labeled with their finished size. Based on this review, the Commission has determined that there may no longer be a need to continue the Sleeping Bag Rule. The Commission solicited comment on whether it should initiate a rulemaking proceeding to repeal the Rule. Based on the comments, the Commission decided to initiate a rulemaking to repeal the Rule and published a NPR on September 18, 1995.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/95	60 FR 27240
ANPRM Comment Period End	06/22/95	
NPRM	09/18/95	60 FR 48063
NPRM Comment Period End	10/18/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John A. Crowley, Division of Service Industry Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580

Phone: 202 326-3280

RIN: 3084-AA66

4676. • QUICK FREEZE SPRAY RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

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Proposed Rule Stage

Government effort. It will eliminate existing text in the CFR.

Legal Authority: 15 USC 41-58

CFR Citation: 16 CFR 417

Legal Deadline: None

Abstract: The Quick Freeze Spray Rule was promulgated by the Commission on February 20, 1969. The Rule requires a clear and conspicuous warning on aerosol spray products used for frosting beverage glasses. These products contain a compound known as Fluorocarbon 12 (Dichlorodifluoromethane), which is also used as a coolant for automobile air conditioners and refrigerators. The warning states that the contents should not be inhaled because inhalation could cause death or injury. Although the product is not harmful when used as directed, there had been several instances where death had occurred when individuals inhaled the quick-freeze spray for its intoxicating effects. Accordingly, the Commission concluded that it was in the public interest to caution consumers who might not be aware of the lethal effects of inhaling the product. The Commission has proposed to repeal the Rule because the products are no longer produced and because the product's active ingredient is banned under the Clean Air Act. The Commission received no comments in response to the ANPR that was published in the Federal Register. The Commission therefore decided to initiate a rulemaking proceeding to repeal the Rule and published a NPR on September 18, 1995.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/95	60 FR 27244
ANPRM Comment Period End	06/22/95	
NPRM	09/18/95	60 FR 48073
NPRM Comment Period End	10/18/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: George Brent Mickum IV, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3132

RIN: 3084-AA67

4677. • FIBERGLASS CURTAIN RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 15 USC 41-58

CFR Citation: 16 CFR 413

Legal Deadline: None

Abstract: The Fiberglass Curtain Rule was promulgated by the Commission on July 28, 1967. The Rule requires marketers of fiberglass curtains or draperies and fiberglass curtain or drapery cloth to disclose that skin irritation may occur from handling these materials and from contact with clothing or other articles that have been washed with glass fiber products or in a container used for washing glass fiber products unless the container has been cleaned and the fibers removed. At the time the Rule was promulgated, members of the public had experienced skin irritation after washing or handling glass fiber curtains and draperies and glass fiber curtain and drapery fabrics. The Commission concluded that it was in the public interest to disclose to consumers that skin irritation could occur from handling these products and from body contact with clothing or other articles that had been washed with these products or in a container previously used for washing these products. The Commission has proposed to repeal the Rule because fiberglass fabric has been replaced by polyester and modacrylics in the drapery industry and fiberglass fabrics are now used almost exclusively for specialized industrial use. The Commission received no comments in response to the ANPR that was published in the Federal Register. The Commission decided therefore to initiate a rulemaking proceeding to repeal the Rule and published a NPR on September 18, 1995.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/95	60 FR 27243
ANPRM Comment Period End	06/22/95	
NPRM	09/18/95	60 FR 48071
NPRM Comment Period End	10/18/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Edwin Rodriquez, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3147

RIN: 3084-AA68

4678. • DECEPTIVE ADVERTISING AND LABELING AS TO SIZE OF TABLECLOTHS AND RELATED PRODUCTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 15 USC 57

CFR Citation: 16 CFR 404

Legal Deadline: None

Abstract: The Tablecloth Rule was promulgated by the Commission on October 1, 1963. The Rule regulates the use of the term "cut size" of materials from which a tablecloth is made to describe the size of a tablecloth in advertising, labeling or marking. The Commission reviewed the Tablecloth Rule as part of a periodic review to seek information about the costs and benefits of its rules and guides and their regulatory and economic impact. This information assists the Commission in identifying rules and guides that warrant modification or rescission. The Commission requested public comments on the Tablecloth Rule on April 19, 1993. The Commission received only one comment stating that there was a specific need for the Rule to deter deceptive practices. One other comment recommended rescission of the Rule because the general prohibitions of the FTC Act covering false and deceptive advertising apply to the tablecloth industry and thus the Rule creates unnecessary administrative costs for the government, industry members and consumers. The Commission also conducted an informal survey and inspected tablecloths at several national chain stores. The Commission found no violations of the Rule on tablecloth packaging materials or the labels affixed to the product itself. In addition, the Commission has no record of receiving any complaints regarding non-compliance with the Rule, or of initiating any law enforcement actions alleging violations of the Rule's

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Proposed Rule Stage

requirements. Finally, the Uniform Packaging and Labeling Regulation, which has been adopted by 47 states, regulates the labeling of tablecloths, and appears to provide that these items must be labeled with their finished size. Based on this review, the Commission determined that there may no longer be a need to continue the Rule. The Commission published an ANPR soliciting comment on whether a rulemaking proceeding should be initiated to repeal the Rule. Based on the comments, the Commission decided to initiate a rulemaking proceeding and on September 18, 1995, published a NPR.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/95	60 FR 27242
ANPRM Comment Period End	06/22/95	
NPRM	09/18/95	60 FR 48067
NPRM Comment Period End	10/18/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John A. Crowley, Division of Service Industry Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3280

RIN: 3084-AA69

4679. • DECEPTIVE ADVERTISING AND LABELING AS TO LENGTH OF EXTENSION LADDERS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 15 USC 57

CFR Citation: 16 CFR 404

Legal Deadline: None

Abstract: The Extension Ladder Rule was promulgated by the Commission on October 11, 1963. The Commission reviewed the Extension Ladder Rule as part of a periodic review to seek information about the costs and benefits of its rules and guides and their regulatory and economic impact. This information assists the Commission in identifying rules and guides that warrant modification or rescission. The Commission requested public comments on the Extension Ladder Rule on April 19, 1993. Six comments were received, one from an individual, four from manufacturers or suppliers of ladders and one from a trade association. A number of comments noted an overlap in coverage between the Extension Ladder Rule and the ANSI standard A14, which governs the labeling of ladders. Other comments questioned the need for the continuation of the Rule because the general prohibitions of Section 5 of the FTC Act covering false and deceptive advertising apply to the ladder industry, and thus the Rule creates unnecessary administrative costs for the

government, industry members and consumers. Commission staff also engaged in an informal review of industry practices by examining the marking of length on extension ladders at several chain stores. That review indicated general compliance with the Rule. In addition, a check of the Commission's records failed to find any complaints regarding non-compliance with the Rule, or any initiation of law enforcement actions alleging violations of the Rule's requirements. The Commission issued an ANPRM seeking comment on whether it should initiate a proceeding to repeal the Rule. Based on the comments, the Commission decided to initiate such a proceeding and on September 18, 1995, published an NPRM.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/95	60 FR 27242
ANPRM Comment Period End	06/22/95	
NPRM	09/18/95	60 FR 48075
NPRM Comment Period End	10/18/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John A. Crowley, Division of Service Industry Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3280

RIN: 3084-AA70

FEDERAL TRADE COMMISSION (FTC)

Final Rule Stage

4680. COOLING-OFF RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 45 to 58

CFR Citation: 16 CFR 429

Legal Deadline: None

Abstract: The Cooling-Off Rule requires that a consumer be given a three-day right to cancel certain sales greater than \$25.00 that occur at a place other than

a seller's place of business. The Rule also requires a seller to notify buyers orally of the right to cancel; to provide buyers with a dated receipt or copy of the contract containing the name and address of the seller and notice of cancellation rights; and to provide buyers with forms which buyers may use to cancel the contract. On April 15, 1994, as a part of its Regulatory Review program, regulatory identifier number 3084-AA47, the Commission published a notice seeking public comment on whether the Rule should be amended to minimize any undue burdens of the Rule on the entities it affects. The Commission also sought comments

concerning the Rule's application to temporary business locations, and whether the current exemptions for specific products sold at certain types of temporary places of business should be expanded to include other products. The Commission also proposed a non-substantive amendment to the definition of "business day" in the Rule. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings in connection with this matter will be consistent with the Initiative.

FTC

Final Rule Stage

Timetable:

Action	Date	FR Cite
Begin Reg Flex and Periodic Review	04/15/94	59 FR 18007
Comment Period End	06/14/94	
Recommendations to the Commission	08/24/95	
Final Commission Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lemuel W. Dowdy, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-2981

RIN: 3084-AA53

4681. • LABELING STANDARDS FOR RECYCLED OIL CONTAINERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6363(d)

CFR Citation: 16 CFR 311

Legal Deadline: Final, Statutory, October 25, 1995.

Abstract: Section 383 of the Energy Policy and Conservation Act of 1975 directs the FTC to promulgate a rule prescribing test procedures and labeling standards applicable to containers of recycled oil. The Commission is required to prescribe the Rule within 90 days after the National Institute of Standards and Technology reports to the Commission the test procedures to determine the substantial equivalency of processed used oil with new oil distributed for a particular end use. NIST has reported relevant test procedures to the Commission, and the Commission has published a notice in the Federal Register soliciting comments on a proposed Rule that would implement the statutory directive. The proposed Rule would permit a manufacturer to label processed used engine oil as substantially equivalent to new oil only if that determination has been based on

the test procedures prescribed in the Rule. The Commission's notice invites interested persons to submit written comments addressing any issue they believe may bear upon the proposed Rule, including its costs and benefits. After reviewing comments, the Commission will publish a final Rule in the Federal Register.

Timetable:

Action	Date	FR Cite
Request for Comments	08/28/95	60 FR 44712
Comment Period End	09/28/95	
Final Commission Action	10/25/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Neil Blickman/Laura Koss, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3038

RIN: 3084-AA64

FEDERAL TRADE COMMISSION (FTC)

Long-Term Actions

4682. AMENDED FEDERAL DEPOSIT CORPORATION IMPROVEMENT ACT

Priority: Substantive, Nonsignificant

CFR Citation: Not yet determined

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: State

Agency Contact: Carole Reynolds

Phone: 202 326-3230

RIN: 3084-AA44

4683. REGULATORY REVIEW

Priority: Other

CFR Citation: 16 CFR 18 et seq

Timetable:

Action	Date	FR Cite
Rule Review Continuing	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kent Howerton
Phone: 202 326-3013

RIN: 3084-AA47

FEDERAL TRADE COMMISSION (FTC)

Completed Actions

4684. THE CREDIT PRACTICES RULE

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 41 et seq; 5 USC 601 et seq

CFR Citation: 16 CFR 444

Legal Deadline: None

Abstract: The Regulatory Flexibility Act, 5 USC section 601 et seq., (RFA) requires that an agency rule be reviewed within ten years of the publication of the rule as a final rule. In addition, the Commission has determined, as part of its oversight

responsibilities, to review trade regulation rules at least once every ten years. These reviews seek information about the costs and benefits of the Commission's rules and about their regulatory and economic impact. The FTC's Trade Regulation Rule on Credit Practices, 16 CFR 444, published as a final rule in 1984, was reviewed last year under both the RFA and Commission procedures. Based on the comments received, the Commission found that the Rule did not have a significant economic impact upon a substantial number of small entities.

The Commission also determined that none of the other issues raised in the comments merited revision of the Rule. The Commission therefore terminated the review and retained the Rule in its present form.

Timetable:

Action	Date	FR Cite
Begin Reg Flex Review	04/15/94	59 FR 18009
Comment Period End	06/14/94	
Recommendations to Commission	03/01/95	
End Review	05/10/95	60 FR 24805

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Completed Actions

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Sandra M. Wilmore, Division of Credit Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3169
RIN: 3084-AA55

4685. LABELING REQUIREMENTS FOR ALTERNATIVE FUELS AND ALTERNATIVE FUELED VEHICLES
Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 13232(a)
CFR Citation: 16 CFR 309
Legal Deadline: NPRM, Statutory, April 25, 1994. Final, Statutory, May 9, 1995.
Abstract: The Energy Policy Act of 1992 (EPA 92) directed the Commission to establish uniform labeling requirements, to the extent practicable, for alternative fuels (i.e., vehicle fuels other than gasoline and diesel, such as compressed natural gas and electricity) and for vehicles that use alternative fuels. On May 19, 1995, the Commission published the Alternative Fuel Rule which requires disclosure of appropriate cost and benefit information to enable consumers to make reasonable purchasing choices and comparisons between nonliquid alternative fuels and alternative fueled vehicles. The labeling requirements for

nonliquid alternative fuels became effective on August 21, 1995. The labeling requirements for alternative fueled vehicles become effective on November 20, 1995.
Timetable:

Action	Date	FR Cite
Interim Final Rule Effective Date	10/19/94	
Interim Final Rule Comment Period End	11/18/94	
Final Action	05/19/95	60 FR 26926
Final Action Effective	11/20/95	

Small Entities Affected: Businesses
Government Levels Affected: None
Agency Contact: Neil Blickman, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3038
RIN: 3084-AA57

4686. TELEMARKETING RULE
Priority: Substantive, Nonsignificant
Legal Authority: 15 USC 6101
CFR Citation: 16 CFR 310
Legal Deadline: Final, Statutory, August 1995.
Abstract: The Commission implemented a new rule pursuant to the Telemarketing and Consumer Fraud

and Abuse Prevention Act. The Act directed the Commission to issue a rule prohibiting deceptive and abusive telemarketing acts and practices within 365 days from the date of enactment of the Act. On August 16, 1995, the Commission issued a final rule that prohibits telemarketers from misrepresenting the cost, quantity and other aspects of offered goods or services and allows the FTC to target deceptive and abusive practices. The Rule becomes effective on December 31, 1995.
Timetable:

Action	Date	FR Cite
NPRM	02/14/95	60 FR 8313
Comment Period End	03/31/95	
Final Staff Recommendation	07/15/95	
Final Action	08/23/95	60 FR 43841
Final Action Effective	12/31/95	

Small Entities Affected: None
Government Levels Affected: State, Local
Agency Contact: Judith M. Nixon, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3173
RIN: 3084-AA59
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